

USER'S GUIDE TO THE HERNDON ZONING ORDINANCE

6. Single Lot Development Plan

(see zoning ordinance §78-202(F), *Site Plans*, especially §78-202(F)(3)(b) *Single Lot Development Plan*, and §78-513, *Single Lot Development*)

The Town of Herndon zoning ordinance User Guide series provides the public with general information on land use regulations affecting activities undertaken by the public and administered by the Herndon Department of Community Development. It is not intended to be a complete statement of all applicable regulations. Individuals are encouraged to contact the Department of Community Development at 703-787-7380 for complete permitting requirements.

What is a Single Lot Development Plan?

Any development proposed within the Town is subject to the Town's zoning and subdivision regulations. Most development requires detailed review through a site plan review process (see User Guide [#5. Site Plan Review Procedures.](#)) Lot-by-lot development by individual homeowners for single-family detached homes or duplexes is eligible for simplified review and approval under a single lot development plan for:

- ✍ Construction of a new home;
- ✍ Replacement of a home; or
- ✍ Enlargement of a home by an amount greater than one quarter the area of the home, or 500 square feet, whichever is less.

What is involved in the Review Process?

A pre-application conference with a member of the Community Development staff is highly recommended to review the requirements and procedures for a single lot development plan.

The applicant must complete a site plan application along with all information specified in zoning ordinance §78-202(F), *Site Plans*. Information submitted with the application must show how the use will meet all applicable standards described in the zoning ordinance

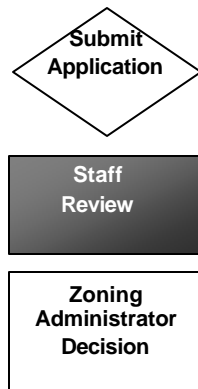
and nine sets of plans prepared by a licensed engineer or surveyor using 24" x 36" paper and including:

1. Town cover sheet completed with the following information:
 - ✍ Identification information on location, owner, developer, contact person's name, address, and telephone number;
 - ✍ Pro-rata share calculation for drainage;
 - ✍ Conservation cash escrow (bond) calculation, including: erosion and siltation control, tree protection, tree replacement, new landscape material, and damage to existing utilities.
2. Existing topography with a maximum of two-foot contour intervals and extending at least 10 feet beyond the boundary of the site.
3. Proposed finished grading by contours supplemented where necessary by spot elevations.
4. Location, height, floor elevation, area, proposed and permitted lot coverage, etc. for new structures.
5. Over lot grading and drainage, with a storm water narrative setting forth how storm water will drain from the property without adversely affecting other properties or the public storm water system.
6. Soil erosion and siltation control measures.
7. Features described in Section 78-513, *Single Lot Development*, or a request for a waiver from providing such features if the criteria are met.
8. Property corner markers.
9. Landscaping plan showing proposed and existing materials.
10. Existing trees and tree protection measures for trees to remain.
11. All trees located off-site which have drip lines extending into the site shall be shown on the plan and considered as within the site for purposes of protective field practices.

12. Compliance with the Chesapeake Bay Preservation Area Overlay District regulations, or evidence of exemption from approval from Resource Management Area requirements.

13. Compliance with and submission of variance approval from the Board of Zoning Appeals, if applicable.
14. If the lot changed ownership since subdivision and the bond was not released, evidence by the bondholder of agreement with the proposed construction.
15. The plan review fee as calculated on the cover sheet.

Single Lot Development Plan Review Process



If there are any items needing correction by the applicant after the staff review of the plan, the staff will provide the applicant with comments and required changes. Nine copies of the corrected plan should be submitted, along with:

- ✍ Conservation Escrow and Escrow Agreement (form obtained from the Department of Community Development),
- ✍ Fee for bond document preparation, and
- ✍ Pro-rata share payment for drainage.

Estimated completion time for the plan review process is a minimum of 45 days, dependent upon the quality of the submitted plan.

Development Standards

To be approved, the plan must comply with the provisions of zoning ordinance §78-513, *Single Lot Development*:

- (1) Development and redevelopment of lots shall include the provision of curb, gutter, sidewalk and on-site drainage improvements. A waiver from the Town Council, acting by ordinance, may be requested and considered if the following criteria are met:
 - (a) Provision of curb and gutter along the street would cause the subject property to become the only lot in the neighborhood with curb and gutter; and
 - (b) The street on which the subject property fronts is not on the Town's plan for installation of curb and gutters;
- (2) In lieu of providing the curb, gutter, sidewalk and on-site drainage improvements, the applicant shall, at the applicant's option, make a cash contribution equivalent in value to the cost of installing the improvements. After consultation with other Town staff, the Zoning Administrator shall make the final determination about the value of the cash contribution using recognized standards.
- (3) Neither the cost of installing the improvements nor the value of the cash contribution shall exceed five percent of the value of the sum of all other lot improvements.
- (4) Development shall comply with the Town's Public Facilities Manual (Section 1-16, *Standards for public improvements adopted by reference*.)

What Happens after the Plan is approved?

Exterior alterations to any building in the Heritage Preservation District require the review and approval of the Heritage Preservation Review Board. This involves a separate application and submittal of information about the architectural features of the alteration. Some site plans may require additional review under the Town's subdivision regulations in Chapter 70 of the Herndon Town Code. Applicants are encouraged to discuss these possibilities in the pre-application conference.

For all site plans, a building permit (if applicable) must be issued within five years, and the building must be completed within the time allowed under the Town's building regulations, or the site plan approval shall expire. This period may be extended by six months if a written request is received at least 30 days prior to expiration and if the extension is approved by the Town Council.

After construction of the building, a Zoning Inspection Permit (application form available upon request) is required for new construction or expansion in the Heritage Preservation Overlay District. The Zoning Inspection Permit is additional to any permits required by the Building Official.

What if an Approved Plan Needs a Revision?

Consultation with the Zoning Administrator is advised. The applicant should submit an application for a single lot development plan with a fee and nine sets of drawings showing the revision.

Need more information?

Got a question on required permits, the permit process, or application requirements? Call or make an appointment to see a member of the staff in the **Department of Community Development at 703-787-7380**.

Have a question regarding building permits or construction codes? Call or make an appointment to see the **Building Official at 703-435-6850**.

Visit the Town of Herndon on the web at www.herndon-va.gov for the Zoning Ordinance User Guide series or to access the Town Code. Town offices are located at the Herndon Municipal Center at 777 Lynn Street, Herndon, Virginia, 20172.

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